



Community Planning & Development
Development Services – Major Projects
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External Agency Comments Form

Please update the form below and return to Development.Services@denvergov.org by the due date indicated in the login confirmation email. Be sure to indicate your agency's response and format comments to be returned to the applicant as is.

Project Name:	Fox Park	Review Type:	Concept
Location:		Phase:	1st Submittal
Project Coordinator:	Leah Dawson	PM Number:	2020PM0000252
Distributed On:	5/11/2020	Due Date:	5/25/2020
Reviewer Name:	Agatha Linger	Agency:	Denver Department of Public Health & Environment - Division of Environmental Quality
Email Address:	Agatha.Linger@denvergov.org	Phone:	(720) 865-5356
Agency Response (select one):	<input type="checkbox"/> OK to Proceed (For concept only, project is not approved but concept is acceptable to proceed to site development plan review. All comments should be addressed with the SDP, but the project doesn't warrant a resubmittal of the concept proposal.) <input checked="" type="checkbox"/> Not Approved (Concept plan is not feasible, significant redesign or additional information is required to address major design concerns) <input type="checkbox"/> Review Not Required (I have no comments)		

Review for 2020PM0000252 - Fox Park (the "Site"):

The Denver Department of Public Health & Environment - Division of Environmental Quality (EQ) conducted a limited review of the project Site to identify potential environmental concerns. EQ's limited review identified the following:

- Historical uses of the Site included smelting operations, clay mining, brick manufacturing, and printing. These industrial uses have resulted in documented contamination of environmental media at the Site.
- Portions of the Site are located within the boundaries of Operable Unit 3 (OU3) of the Vasquez Boulevard/I-70 (VB/I-70) Superfund site for which the U.S. Environmental Protection Agency (EPA) provides environmental oversight under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). Previously completed CERCLA investigations concluded that portions of the Site are impacted from historical smelting operations. The applicant should contact the EPA at (303) 312-6287 for additional information on OU3 and to determine appropriate CERCLA requirements prior to redevelopment.
- The southern portion of the Site is located within the boundaries of the delisted OU1 of the VB/I-70 Superfund site which is associated with elevated levels of metals in soil. Under oversight by the EPA, contaminated soils in residential yards, parks and schools were excavated and

disposed off-site where necessary. Institutional controls were implemented for properties where access was not granted. Based on commercial uses, the southern portion of the Site was not evaluated by the EPA with respect to OU1.

- Based on previously completed environmental site assessments (ESAs), areas of buried historical urban fill have been identified at the Site. Historical urban fill (HUF) can be associated with buried hazardous wastes, building debris containing asbestos, other contaminated environmental media. HUF is often associated with subsurface soil vapors containing methane.
- Petroleum releases from leaking underground storage tanks have been documented at nearby properties. For information on petroleum releases, please contact the Colorado Department of Labor and Employment - Division of Oil and Public Safety at (303) 318-8546.
- It is EQ's understanding that entities representing the applicant have been made aware of environmental issues and the Superfund status of the Site through contact with the Colorado Department of Public Health & Environment (CDPHE). It is also EQ's understanding that the Site may enter CDPHE's Voluntary Cleanup Program.

Based on historically documented impacts to environmental media and the Superfund status, Site conditions do not appear to be protective of the proposed residential and recreational uses; therefore, EQ cannot currently approve this Concept application (2020PM0000252 - Fox Park). The applicant should complete additional ESA's to 1) to determine the presence, nature and extent of contamination at the Site, 2) to identify specific cleanup needs and 3) to prepare a Site-specific materials management plan for implementation during redevelopment activities. For resubmittal, please include copies of ESA reports and relevant regulatory correspondence demonstrating that Site conditions are appropriate for the proposed land uses.

Scope & Limitations: EQ performed a limited search for information known to EQ regarding environmental conditions at the subject site. This review was not intended to conform to ASTM standard practice for ESAs, nor was it designed to identify all potential environmental conditions. In addition, the review was not intended to assess environmental conditions for any potential right-of-way or easement conveyance process. The City and County of Denver provides no representations or warranties regarding the accuracy, reliability, or completeness of the information provided.